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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 2, 1998

APPLICATION OF

ACI CORP.-VIRGINIA

CASE NO. PUC980045

For certificates of public
convenience and necessity to
provide local exchange and
interexchange telecommunications
services

ORDER FOR NOTICE AND HEARING

On March 26, 1998, ACI Corp.-Virginia ("ACI-VA" or "Applicant") completed an application for certificates of public convenience and necessity ("certificate") to the State Corporation Commission ("Commission") to provide local exchange and interexchange telecommunication services throughout the Commonwealth of Virginia.

NOW UPON CONSIDERATION of the application, the Commission is of the opinion and finds that ACI-VA's application should be docketed; that the Applicant should give notice to the public of its application; that the Commission Staff should conduct an investigation into the reasonableness of the application and present its findings in a Staff report; and that a public hearing should be convened to receive evidence relevant to ACI-VA's

application for a certificate to provide local exchange service, and if substantive objections are received, evidence shall be received at the public hearing with regard to ACI-VA's application for a certificate to provide interexchange service.

Accordingly, IT IS ORDERED THAT:

(1) This case is docketed and assigned Case No. PUC980045.

(2) A public hearing for the purpose of receiving evidence relevant to ACI-VA's application for a certificate to provide local exchange services is scheduled for May 14, 1998, at 10:00 a.m., in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia. If substantive objections to ACI-VA's application for a certificate to provide interexchange services are received on or before April 24, 1998, the Commission will also hear evidence on this issue at the May 14, 1998 public hearing. If no such substantive objections are received on or before April 24, 1998, the Commission may grant ACI-VA's requested certificate to provide interexchange services without conducting a hearing.

(3) On or before April 14, 1998, the Applicant shall complete publication of the following notice, which may be published as classified advertising in newspapers having general circulation throughout the Commonwealth of Virginia:

NOTICE TO THE PUBLIC OF AN APPLICATION
BY ACI CORP.-VIRGINIA FOR CERTIFICATES
OF PUBLIC CONVENIENCE AND NECESSITY TO
PROVIDE LOCAL EXCHANGE AND INTEREXCHANGE
TELECOMMUNICATIONS SERVICES THROUGHOUT THE

COMMONWEALTH OF VIRGINIA
CASE NO. PUC980045

On March 26, 1998, ACI Corp.-Virginia ("ACI-VA" or "Applicant") filed an application with the State Corporation Commission ("Commission") for certificates of public convenience and necessity ("certificate") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia.

A public hearing will be convened on May 14, 1998, at 10:00 a.m. in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia, to hear evidence relevant to ACI-VA's application for a certificate to provide local exchange service. The Commission will hear evidence on ACI-VA's application for a certificate to provide interexchange service at the May 14, 1998, public hearing only if substantive objections to this portion of the application are filed on or before April 24, 1998. If no such substantive objections are received, the Commission may grant the certificate to provide interexchange service without a hearing.

Copies of the application are available for public inspection between the hours of 8:15 a.m. and 5:00 p.m. in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or can be ordered from ACI-VA's counsel, Eric M. Page, Esquire, and James P. Guy, II, Esquire, LeClair, Ryan, P.C., Innsbrook Corporate Center, 4201 Dominion Boulevard, Suite 200, Glen Allen, Virginia 23060.

Any person desiring to comment in writing on ACI-VA's application for certificates to provide local exchange services or interexchange services, may do so by directing such comments on or before April 24, 1998, to the Clerk of the Commission at the address set out below. Any person desiring to make a statement at the

public hearing concerning ACI-VA's application for a certificate to provide local exchange service need only appear in the Commission's second floor courtroom at 9:45 a.m. on the day of the hearing and identify himself or herself as a public witness to the Commission's Bailiff.

Any person who expects to submit evidence, cross-examine witnesses, or otherwise participate in the proceedings, as a Protestant pursuant to Commission Rule 4:6 of the Commission's Rules of Practice and Procedure should promptly obtain a copy of the Order for Notice and Hearing from the Clerk of the Commission for complete details of the procedural schedule and instructions on participation.

Individuals with disabilities who require an accommodation to participate in the hearing should contact the Commission at least seven days before the scheduled hearing date at 1-800-552-7945 (voice) or 1-804-371-9206 (TDD).

All written communications to the Commission concerning ACI-VA's application should be directed to William J. Bridge, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and must refer to Case No. PUC980045.

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(4) On or before April 14, 1998, Applicant shall give notice of its application to each local exchange telephone carrier certificated in Virginia and each interexchange carrier certificated in Virginia by personal delivery or first-class mail, postage prepaid, to the customary place of business or residence of the person served. Lists of all current local

exchange and interexchange carriers in Virginia are attached to this Order as Appendices A and B, respectively.

(5) On or before April 17, 1998, the Applicant shall prefile with the Commission an original and fifteen (15) copies of any additional direct testimony it intends to present at the public hearing. Copies shall also be served on any person who files a Notice of Protest.

(6) On or before April 24, 1998, any person desiring to participate as a Protestant as defined in Rule 4:6 of the Commission's Rules of Practice and Procedure ("Rules") shall file an original and fifteen (15) copies of a Notice of Protest as provided in Rule 5:16(a), and shall serve a copy of the same on ACI-VA's counsel, Eric M. Page, Esquire, and James P. Guy, II, Esquire, LeClair Ryan, P.C., Innsbrook Corporate Center, 4201 Dominion Boulevard, Suite 200, Glen Allen, Virginia 23060.

(7) On or before April 24, 1998, any person wishing to lodge an objection to ACI-VA's application for a certificate to provide interexchange service shall file an original and fifteen (15) copies of its objection in writing with William J. Bridge, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Written objections shall refer to Case No. PUC980045 and shall state with specificity why a hearing is necessary. If substantive objections are received, the Commission will hear evidence

relevant to this portion of the application at the May 14, 1998, public hearing.

(8) Any person desiring to comment in writing on ACI-VA's application for a certificate to provide interexchange services may do so by directing such comments on or before April 24, 1998, to the Clerk of the Commission at the address set forth above. Written comments must refer to Case No. PUC980045.

(9) Any person desiring to comment in writing on ACI-VA's application for a certificate to provide local exchange services may do so by directing such comments on or before April 24, 1998, to the Clerk of the Commission at the address set out above. Comments must refer to Case No. PUC980045. Any person desiring to make a statement at the public hearing concerning the application for a certificate for local exchange services need only appear in the Commission's second floor courtroom at 9:45 a.m. on the day of the hearing and identify himself or herself to the Bailiff as a public witness.

(10) Any person who expects to submit evidence, cross-examine witnesses, or otherwise participate in the proceedings as a Protester pursuant to Rule 4:6 shall file on or before April 28, 1998, an original and fifteen (15) copies of its Protest with the Clerk of the Commission at the address set forth above, referring to Case No. PUC980045, and shall on the same day mail a copy thereof to ACI-VA's counsel at the address identified above and to any other Protesters. The Protest shall set forth

(i) a precise statement of the interest of the Protestant in the proceeding; (ii) a full and clear statement of the facts which the Protestant is prepared to prove by competent evidence; and (iii) a statement of the specific relief sought and the legal basis therefor. Any corporate entity that wishes to submit evidence, cross-examine witnesses, or otherwise participate as a Protestant must be represented by legal counsel in accordance with the requirements of Rule 4:8.

(11) On or before April 28, 1998, each Protestant shall file with the Clerk of the Commission an original and fifteen (15) copies of the prepared testimony and exhibits the Protestant intends to present at the hearing, and shall on the same day, mail a copy of the same to counsel for ACI-VA and other Protestants. Service upon counsel for ACI-VA shall be made at the address set forth above.

(12) The Commission Staff shall analyze the reasonableness of ACI-VA's application and present its findings in a Staff Report to be filed on or before May 1, 1998.

(13) On or before May 1, 1998, if necessary, the Commission Staff may file with the Clerk of the Commission an original and fifteen (15) copies of any prepared testimony and exhibits it intends to present at the public hearing. A copy of the Staff's direct testimony shall be mailed to counsel for the Applicant and to each Protestant.

(14) On or before May 8, 1998, the Applicant shall file with the Clerk of the Commission an original and fifteen (15) copies of any testimony it expects to introduce in rebuttal to any direct prefiled testimony of Staff and Protestants. A copy of the rebuttal testimony shall be mailed to Staff and each Protestant by overnight delivery.

(15) At the commencement of the hearing scheduled herein, ACI-VA shall provide to the Commission proof to the notice and service required by Ordering Paragraphs (3) and (4) herein.

(16) The Applicant shall respond to written interrogatories or data requests within seven (7) business days after the receipt of the same. Protestants shall provide to the Applicant, other Protestants and Staff any workpapers or documents used in preparation of their prefiled testimony, promptly upon request. Except as so modified, discovery shall be in accordance with Part VI of the Rules.